

SENATE BILL No. 459

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-14-1-17.

Synopsis: Misrepresenting the status of a candidate. Makes it a Class B misdemeanor for a person to knowingly or intentionally authorize, finance, sponsor, or participate in the preparation, distribution, or broadcast of paid political advertising or campaign material that falsely represents that a candidate in any election is or has been an officeholder. Exempts a person who merely prints, distributes, or broadcasts the advertising or material in the normal course of business.

Effective: July 1, 2003.

Drozda

January 21, 2003, read first time and referred to Committee on Elections and Civic Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 459

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-14-1-17 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 17. (a) As used in this section, "officeholder" refers**
4 **to a person who holds an elected office.**

5 **(b) Except as provided in subsection (c), a person who**
6 **knowingly or intentionally authorizes, finances, sponsors, or**
7 **participates in the preparation, distribution, or broadcast of paid**
8 **political advertising or campaign material that falsely represents**
9 **that a candidate in any election is or has been an officeholder**
10 **commits a Class B misdemeanor. However, the offense is a Class**
11 **A misdemeanor if the person has a prior unrelated conviction**
12 **under this section.**

13 **(c) Subsection (b) does not apply to a person whose sole act is,**
14 **in the normal course of business, the printing, distribution, or**
15 **broadcast of the advertising or material containing the false**
16 **representation.**



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